

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

ROY T. CARTER

PLAINTIFF

V.

CIVIL ACTION NO. 5:05cv151DCB-JCS

LIFE INSURANCE COMPANY OF ALABAMA

DEFENDANT

**JUDGMENT OF DISMISSAL WITH PREJUDICE**

This day this cause came on to be heard on the joint motion ore tenus ("motion") of Plaintiff Roy T. Carter and Defendant Life Insurance Company of Alabama for a Judgment of Dismissal With Prejudice ("Judgment") of all claims of each and every nature pending in this action of the Plaintiff against the Defendant, and it being stipulated and made known to the Court that all of said claims have been fully compromised and settled as between the Plaintiff and the Defendant, and that there remain no issues to be litigated by or between the Plaintiff and the Defendant or adjudicated by the Court, and that the Plaintiff and the Defendant agree that all of said claims should be dismissed, with prejudice, and that the Plaintiff and the Defendant consent to the entry of this Judgment; the Court being fully advised in the premises, and having maturely considered same, is of the opinion and finds that the motion is well taken and should be sustained.

IT IS, THEREFORE, HEREBY ORDERED AND ADJUDGED that all claims pending in this action of the Plaintiff against the Defendant should be and the same are hereby dismissed, with prejudice, with all parties bearing their own costs.

IT IS FURTHER HEREBY ORDERED that Plaintiff and his counsel shall resolve, as part of the agreed settlement between the parties, any and all subrogation and/or

assignment claims of any insurers, medical care providers and/or suppliers, Medicare and/or Medicaid that exist as a result of the subject matter of this action.

SO ORDERED AND ADJUDGED on this the 21<sup>st</sup> day of August, 2006.

S/DAVID BRAMLETTE  
UNITED STATES DISTRICT JUDGE

AGREED AS TO CONTENT AND FORM:

s/Charles A. Becker, Jr.  
CHARLES A. BECKER, JR., MBN 2298  
ATTORNEY FOR PLAINTIFF

s/Sam S. Thomas  
SAM S. THOMAS, MBN 8307  
ATTORNEY FOR DEFENDANT